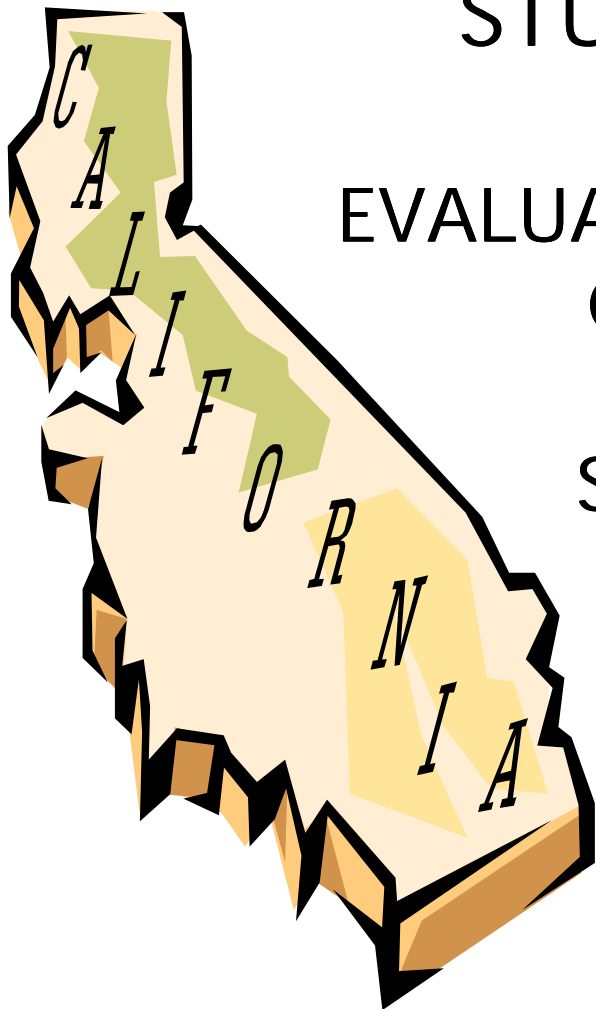


ENSURING COMPLIANCE AND OUTCOMES FOR STUDENTS WITH DISABILITIES

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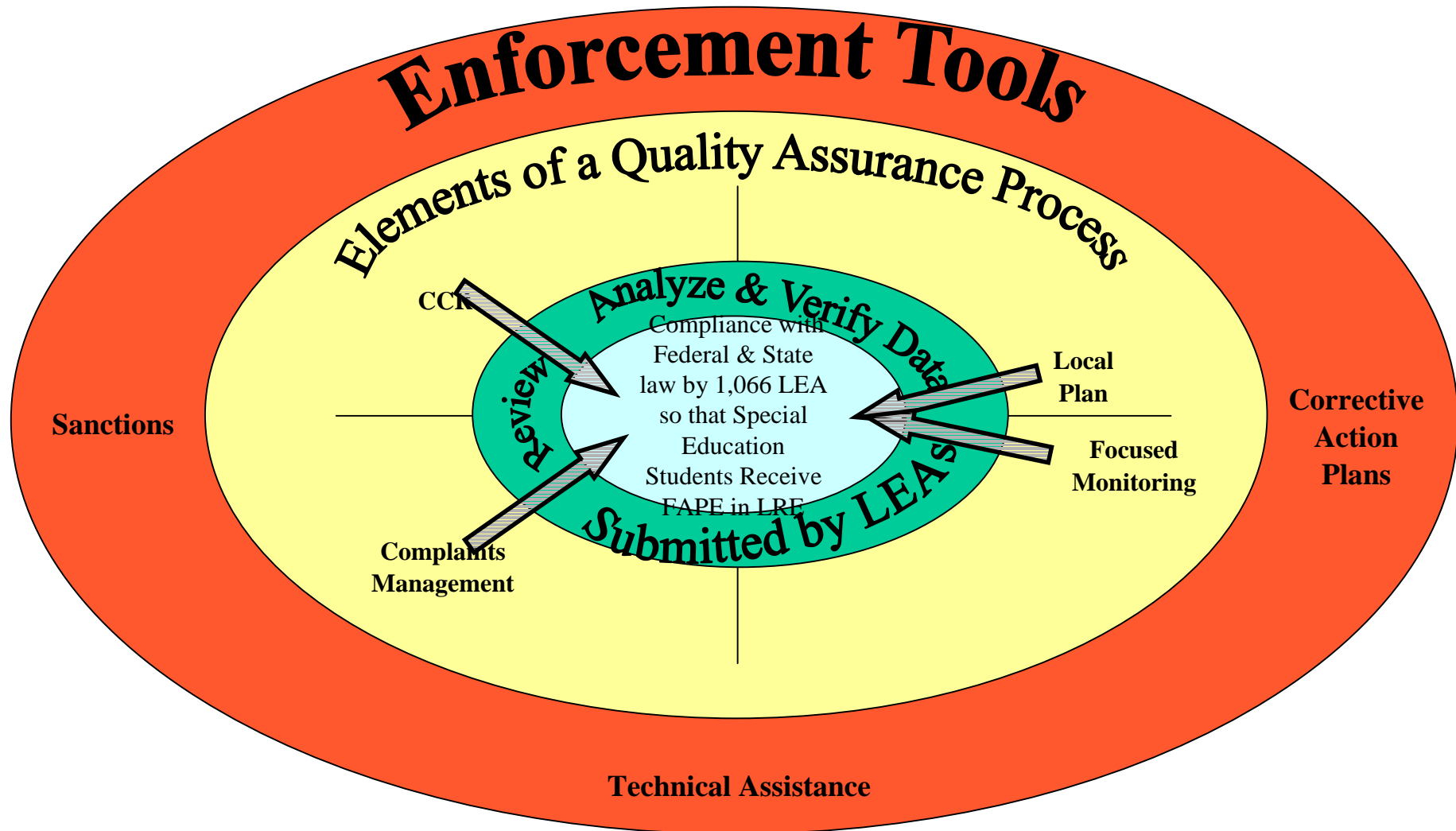
EVALUATION AND RECOMMENDATIONS:
CALIFORNIA DEPARTMENT
OF EDUCATION
SYSTEM FOR CONDUCTING
VERIFICATION REVIEWS



David Rostetter, Ph.D

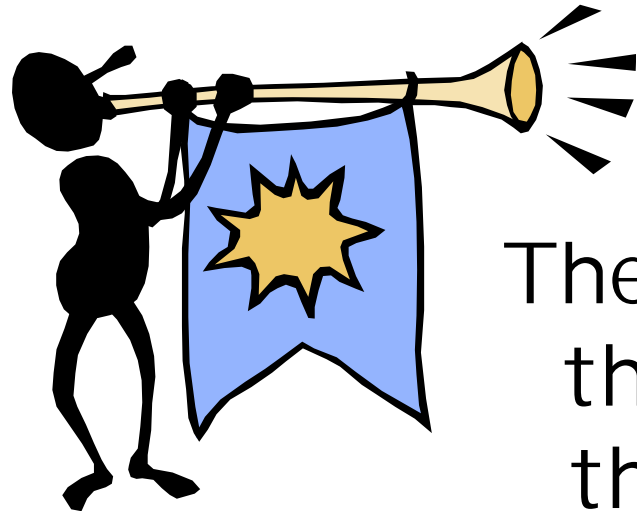
Educational Policy Solutions, Ltd.

System of Overall Supervision and Monitoring





Dr. Rostetter's report
addresses only one aspect
of the Focused Monitoring
model in California – the
Verification Process



The following are excerpts from the first draft of a report to the California Department of Education. These are Dr. Rostetter's words.

W. Alan Coulter prepared this summary without benefit of consultation with Dr. Rostetter.

Purpose of the Study

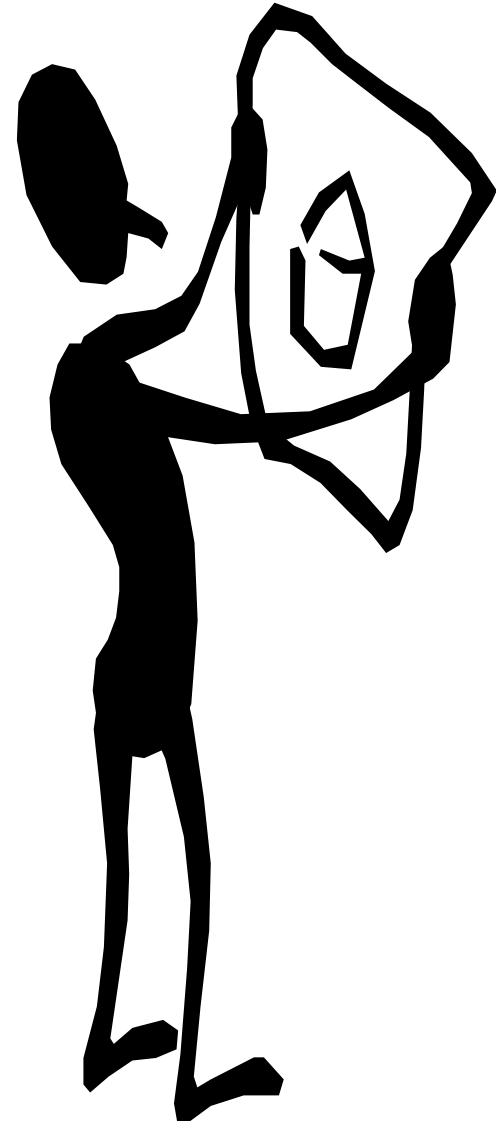
The purpose of this study was to:

- 1.) Assess the effectiveness of the California Department of Education (CDE) design and implementation of its Verification Review Process, and,
- 2.) Report the results of that assessment and make recommendations for improvement.



What This Study Does

- This study looks at the verification visit process for consistency and effectiveness with its stated purposes, and
- Also considers the overall approach of the verification process as a part of a larger, data-driven system for ensuring compliance with state and federal law along with effective outcomes for students with disabilities.



Premises

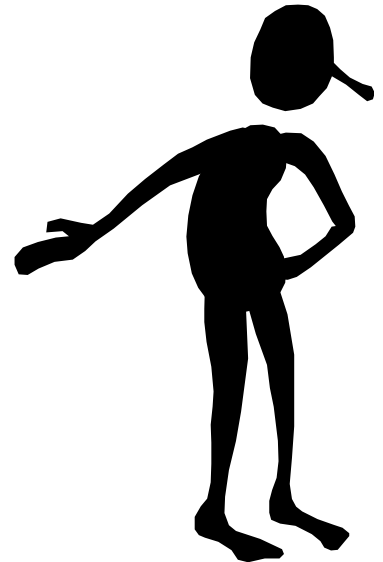
- Systems for monitoring compliance and ensuring educational outcomes for students with disabilities are changing.
- The changes are moving from process to outcome, from paper compliance to substantive compliance, and from routine reviews to data driven, focused reviews.

Two Express Purposes for Verification

- 1) To ensure that the data a Local Education Agency (LEA) is providing to the state is accurate and is consistent with California Special Education Management Information System (CASEMI S) definitions
- 2) To assess key compliance questions using a variety of assessment methodologies.

Conclusion 1.

- *CDE has established the components of a method of administration that can support the goals established in policy by the state and federal government.*

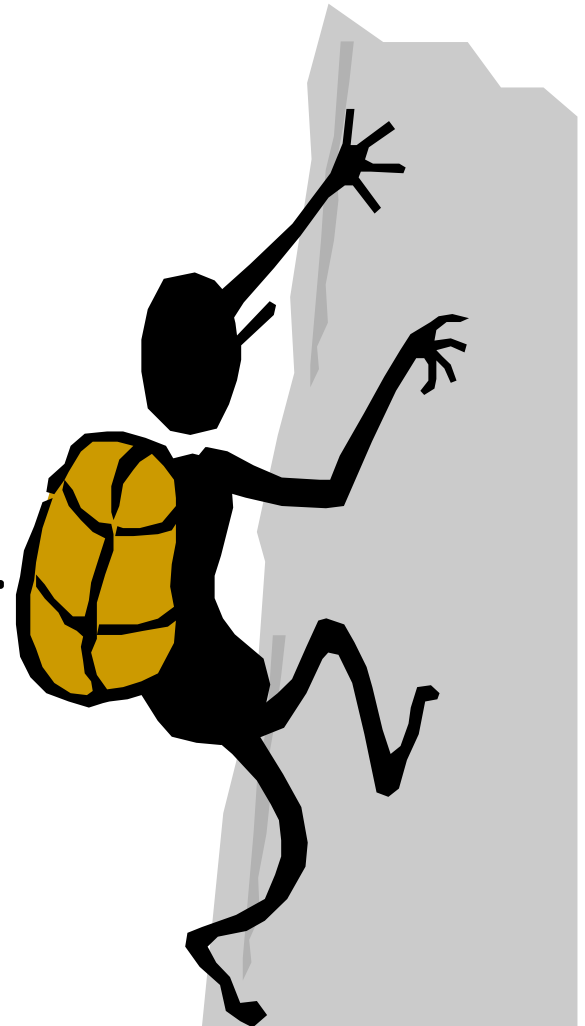


RECOMMENDATIONS #1

1. CDE should consider conducting a review of staff utilization across each of its operations.
2. The review should identify:
 - Each function fulfilled by the agency;
 - Number of staff allocated; and
 - Number of hours staff are spending on each task.
3. The review should include a rough assessment of how effective staff believe their efforts are in fulfilling the CDE goals.

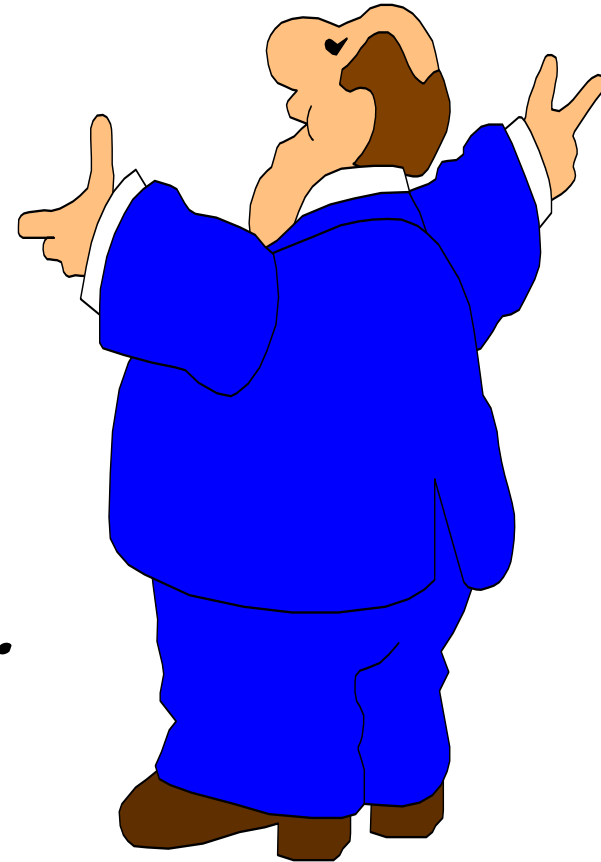
RECOMMENDATIONS #1

4. Based on the information, CDE could consider re-allocation of resources, additional resources, or changes in the methods themselves.



Conclusion 2.

- *The Verification Review Process is well defined and procedurally adequate to achieve its purpose.*



Comments

The Verification Review Process is very thoroughly designed.

- The description of the overall purpose is clear and the protocols directing staff in their various roles and functions is absolutely superior.
- In addition the instruments developed for staff use in interviewing and conducting file reviews are very professional.
- The process from beginning to end is sequential and builds each step in the process on the basis of previously identified factors.
- CASEMIS data are used effectively to develop an investigative hypothesis that in turn ensures the identification of students to be reviewed.

Additional Comments

- Information from the parent meetings is also used as a basis to focus on specific concerns.
- Decisions based on available information are better and more productive than a pre-determined scope of inquiry that eliminates flexibility and investigation. Absence of such discretion is one of the primary causes for the ineffective monitoring approaches used historically at the federal and state levels. It is very important that this discretion be preserved, improved upon, and supported.

Recommendations #2

5. CDE should conduct a review of all visits conducted this year to analyze the findings made across all districts.
6. The analysis should include:
 - A comparison of findings for each district from each performance quartile to determine if there are differences in the scope and intensity of findings between the districts from various quartiles;
 - Comparison of performance quartiles with one another to determine if there are differences in the scope and intensity of findings between quartiles;

Recommendations #2, cont'd.

6. The analysis should also include:

- Comparison of findings to see if there are any factors that “predict” certain types of findings, i.e., does LRE data reliably predict procedural and actual student placement problems as indicated by records;
- On-site data collection necessary to make the kinds of findings produced across the visits conducted;
- How many districts actually had difficulty verifying their data when visited on-site and what were the problems encountered.

Recommendations #2, cont'd.

7. CDE should conduct an evaluation of the effectiveness of the Verification Review Process when reports are issued and corrective actions are put in place to determine if the system actually corrects identified deficiencies and enforces legal obligations.

Conclusion 3.

- *In order to accomplish the stated purpose of using a focused monitoring approach that is based on data and allocation of resources based on demonstrated need, site visits must be more reflective of the explicit problems identified from the data and outcome information available rather than a prescribed minimum or maximum number of visits.*

Comments

- the Verification Reviews have been doing more than what school district visits must accomplish in a focused monitoring system. The combination of these demands renders an operational focused monitoring process unattainable.
- Focused monitoring works when selection of strategies is based upon identified needs. CDE has taken the first step in that process and has done it very, very, well. Performance indicators have been identified and are usable.

The system, even in its initial implementation stages, is showing signs of falling victim to problems that do not use focused techniques. Such signs are:

- Confused messages to staff and from staff to districts about the purpose of the visits such as “we are all in this together”, “everybody is in the same boat”, “there are no districts who are any worse or better than yours”, “there are shortages of personnel all over”, “we will share every problem we found with you before we leave”, “we’re here to help you fix your problems”;
- Staff are still very informal about some serious problems as indicated by lack of documentation and incomplete interviews.
- Several staff expressed concern about “burn out” because they are going from one problem to another without a chance to report or fix the problems;

Comments, cont'd.

- Issuance of reports and corrective actions is lagging behind visit schedules;
- Selection of sites where data are already indicative of problems and a full Verification process is not indicated.
- These are not indications of lack of preparation or personnel who are not committed to high standards of professionalism. Rather, they are indicators of a common problem in monitoring systems: *trying to be all things to all people.*

Comments, cont'd.

CDE still needs to provide an option in addition to Verification reviews that is the result of data analysis and uses a focused monitoring visit to pursue clearly identifiable problems. In this way Verification Reviews could continue with some streamlining and modifications and relatively few focused visits to investigate serious compliance problems could be conducted by specialized staff. Some of the positive characteristics of the Verification process can remain in a streamlined form. Focused visits would be limited to the lowest ranked quartile, and then only after other less resource-intensive and intrusive interventions are considered.

Recommendations #3

8. CDE should continue to attempt to conduct about 60 (to 80) on-site activities.
9. About forty reviews should be Verification Visit with the components prescribed by the legislature.
10. Of those forty, the process should be streamlined further to allow the Team Leader to drop certain areas of inquiry and focus staff on issues solely indicated by the data, procedure flaws, parental concerns, and student file reviews.

Recommendations #3, cont'd.

11. In addition to CASEMI S, CDE should consider additional data sources in its review of performance indicators to the extent that they might allow for more focused use of resources and be related to CDE goals. These additional data might include:

- OCR 101 and 102 data;
- Number receiving extended school year;
- Referral rates by grade and race;
- Attendance;
- Grades;
- Participation in extracurricular activities;

Recommendations #3, cont'd.

12. SELPA and School District procedures should be reviewed before going on-site. They can assist in identifying problems that corroborate extant data as well as help in identifying and refining investigative hypotheses.
13. There should be a review of all districts where findings were made to determine which of those findings are related to SELPA responsibilities.
14. Those findings directly related to SELPA performance should be specifically identified and communicated to responsible agencies including county offices, school districts, SELPAS and relevant state officials.

Recommendations #3, cont'd.

15. A comprehensive analysis of SELPA performance should be conducted through CDE to determine in which areas SELPAS are making contributions to compliance and quality and those activities that support those contributions.
16. SELPA leadership should be provided with model procedures that comply with state and federal requirements as a technical assistance initiative statewide. The deficiencies in IEP and LRE procedures reviewed during the two site visits were very serious and facilitated district non-compliance rather than assisting in ensuring compliance.

Recommendations #3, cont'd.

17. Procedural deficiencies found in SELPA or district manuals or plans should be fixed immediately. They are essentially word processing solutions as many acceptable procedures are available and such changes do not require IEP meetings or other time consuming activities.

Recommendations #3, cont'd.

18. The investigative hypothesis process should be further developed to increase efficiency and effectiveness. Steps to be taken include:
- identifying each discrete legal obligation related to the investigative hypothesis in state or federal law;
 - identifying the data needed to document compliance;
 - identifying where such data or information can be found;
 - developing data and information collection strategies to collect such data and information.

Recommendations #3, cont'd.

19.CDE should continue to refine the process so that data collection activities involve on-site visits only when necessary to assist a district or collect information that cannot be collected through electronic transfer or written inquiries and mail. Such strategies include:

- meetings at CDE to discuss identified problems;
- negotiating solutions to identified problems based on mutual recognition of a problem due to data analysis, complaints, due process hearing findings or other sources of information that are likely to be supported by on-site data collection;
- written inquiries requesting explanations and documentation concerning identified problems; and,
- on-site visits that are developed for the specific purpose of information collection in certain problem areas.

Recommendations #3, cont'd.

- 20. Attendance at parent meetings should be limited to one or two CDE staff, one or two school staff, the parents, and the parent facilitator.
- 21. Parent participation and invitations need to be improved to result in better attendance as well as the individuals chosen for participation.
- 22. Procedures for what constitutes an acceptable corrective action should be put in place.

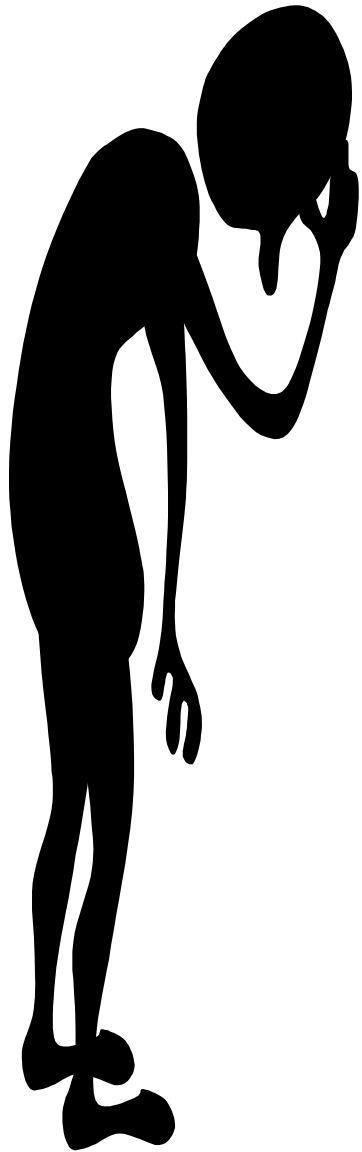
Recommendations #3, cont'd.

23. Such procedures concerning corrective actions should include the following:

- ✓ Immediate cessation of the violation;
- ✓ Specific timelines for correcting the violation;
- ✓ Eliminating the past effects of the violation;
- ✓ Actions that will prevent the recurrence of the violation;
- ✓ Sufficient documentation to prove the implementation of the corrective action.



Conclusion 4.



- ✓ *Current staffing is not sufficient to carry out the monitoring responsibilities now being conducted. Staff does not have the time or resources necessary to conduct the reviews, analyze the information, and write reports while ensuring necessary corrective actions and follow-up.*

Recommendations #4

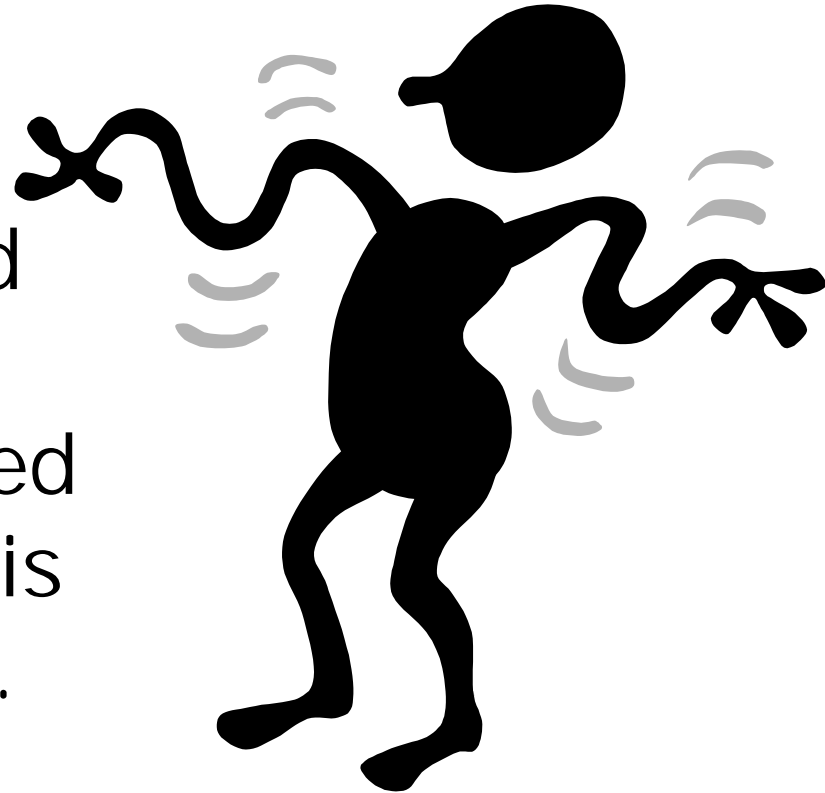
24. A method of periodic reporting, at least monthly, should be developed to track each step in the process from initial performance indicator review to close-out of corrective actions.
25. The management process should include meetings with all regional coordinators to identify any slippage in timelines or other problems in the system. The method should also include a tracking chart for each region, by district, with target dates for completion and actual dates of completion.

Recommendations #4

- 26. Regional Coordinators should be held accountable for completion of all tasks on time and all closeouts of any corrective actions.
- 27. The allocation of staff must be increased by twenty percent to sustain the current program demand with the changes recommended in this Report.
- 28. If staff cannot be increased, the number of visits should be reduced to eighty percent.
- 29. A specific unit of skilled analysts and writers should have a priority responsibility for producing reports and working with teams to ensure thorough, accurate and consistent reporting.

Recommendations #4, cont'd.

30. A corrective actions unit should be established to track corrective actions and ensure that documentation required for corrective action is received and checked.



Conclusion 5.

- *Staff need additional training in investigative techniques, use of data to form hypotheses and questions, refine data sources, rules of evidence and interview procedures. While currently doing a very good job, these new skills are necessary to fulfill the new role.*

Recommendations #5

- 31. Staff should be trained concerning the role the various methods of administration play in ensuring outcomes for students with disabilities.
- 32. The specific role of focused visits as part of a system and possible enforcement is important and needs to be communicated consistently and firmly.
- 33. Specific training on how to use law and regulations as a basis for collecting information and deciding what information to collect must be provided.

Recommendations #5, cont'd.

34. Information on requirements of law and regulation and how they have been interpreted must be provided. Every team member should know the law and regulations extremely well, and also have a copy of each with them on every visit.
35. Roundtables to discuss key requirements of the law and regulations should be held on a continuing basis.
36. Identifying, using, and maintaining evidence collected in a manner that ensures its credibility and effectiveness should be a part of training activities for all monitors.

Conclusion 6.

- *Role and task differentiation is necessary to use existing skilled personnel to carry out tasks most appropriate for their skills and to avoid confusion in the field concerning the delivery of technical assistance and support, and the conduct of monitoring and enforcement activities.*

Recommendations #6

- 37. Specific interests and expertise of all staff should be identified.
- 38. Regional monitoring assignments should be reviewed. Any district needing assistance in a region, even as the result of a verification review, should be referred to staff with the necessary expertise who are not on that Regional team.

Summary

CDE is developing a system that is more efficient and more effective than others currently in operation in other states. This is due primarily to three factors:

- First, the system is well designed, relying on good data management principles and use.
- Second, the procedures are well developed and clear.
- Finally, the staff are of high quality and capable of carrying out the system

But ...

The difficulties in fully implementing the new approach are numerous but not unmanageable.

✓ Visits have to be cut back to make certain that the corrective process is manageable. It is the correction of identified deficiencies that bogs down most monitoring systems, not the identification of those deficiencies. Next school year, CDE will have hundreds of districts with possibly thousands of specific corrective actions. Absent a more reasonable workload, the staff will be unable to keep up. (also)



- ✓ Existing resources must be more effective. SELPAs need to do a better job at data collection, reporting, procedures development, and implementation.
- ✓ Finally, CDE staff need more support and more training to refine their skills in a new environment focused on quality outcomes and effective enforcement.





California Department of Education

Special Education *Division*

Overall
Supervision and
Monitoring
to Support Better
Results